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7 **UNITED STATES DISTRICT COURT**
8 **DISTRICT OF NEVADA**

9 TED LEE DALTON,

10 Plaintiff,

11 v.

12 CREDIT ONE BANK, N.A.,

13 Defendant.

Case No.: 2:17-cv-02369-APG-GWF

JOINT STATUS REPORT

ORDER

14
15 **STATUS REPORT**

16 Pursuant to the Court's Order for Status Report and to Show Cause (*ECF No.*
17 *25*), the parties hereby provide the following status report for the Court:

18 An Arbitration is still pending before the parties as JAMS Reference Number
19 1260004677. The Hon. Lawrence R. Leavitt (Ret.) has been appointed as arbitrator and
20 has thus far granted in part and denied in part summary adjudication. The Arbitrator
21 denied Defendant / Respondent's Motion to Dismiss or in the Alternative a Motion to
22 Reconsider on December 24, 2019.

23 The parties have recently had a status conference call with Judge Leavitt and
24 have agreed to attempt to resolve the matter and if no settlement is reached by June 12,
25 2020, the parties will schedule depositions, with a discovery deadline of July 31, 2020.

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27 ///

SHOW CAUSE

The Federal Arbitration Act includes a provision to have an arbitration award confirmed, and it makes more sense for the Court to keep jurisdiction over the matter for that reason, and to have this action stayed pending the conclusion of arbitration.

The arbitration was delayed for approximately seven (7) months while the parties awaited a ruling from the Arbitrator on Credit One's Motion to Reconsider. The parties have been diligent in proceeding during arbitration.

Further, it is prejudicial for Plaintiff to have to pay another filing fee to open a new case.

If the Court so desires it can administratively close the case, pending a motion to re-open should the parties need to do so.

Respectfully submitted,

Dated this 28th day of May, 2020.

BROWNSTEIN HYATT FARBER
SCHRECK,LLP

LAW OFFICES OF CRAIG B.
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By: s/Craig B. Friedberg
CRAIG B. FRIEDBERG, ESQ.
Attorney for Plaintiff

ORDER

IT IS SO ORDERED that the above matter is administratively closed. The parties shall notify the court of the results of the arbitration once completed.


UNITED STATES DISTRICT COURT JUDGE

Dated: June 8, 2020.